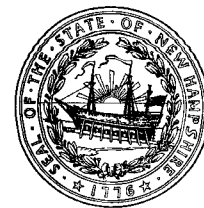




The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

31 Water Street, LLC
P.O. Box 1019
Manchester, NH 03105

February 17, 2006
Letter of Deficiency
DSP#06-005

RE: West Branch Dam #028.12, Bradford

To Whom It May Concern:

The Department of Environmental Services, Dam Bureau (DES) consistently strives to enhance the safety of dams in New Hampshire through its dam safety program. One of the many instruments that play a part in reaching this goal is our inspection program. DES is forwarding this correspondence to you to advise you that in accordance with RSA 482:12 and Env-Wr 302.02, an inspection of the subject dam was conducted on October 19, 2005. During this visual inspection and/or file review, the following deficiencies were observed:

1. The emergency spillway was filled at the entrance to what appeared to be the same height, as the adjoining left embankment;
2. There is no operation and maintenance plan (O&M) on file; and
3. Brush and tree growth was observed on the right embankment along Cressy Road.

DES believes that the above deficiencies can be corrected by performing the following items on or before the indicated schedule:

April 1, 2006:

1. Restore the emergency spillway back to its original configuration to support spring flood. The DES, Dam Bureau is concerned that additional stress will be placed on the dam during spring runoff and/or significant storm events. Therefore, if this work is not completed as required and in the time specified further enforcement, action will be initiated;
2. Prepare and submit to the DES a written O&M plan. The plan should describe the control of impoundment levels, monitoring and maintenance procedures, and identify emergency contact personnel (see attached); and

September 1, 2006:

3. Remove the brush and tree growth on the right embankment along Cressy Road (see attached sketch for limits of clearing).

DES is requesting that you complete and submit the attached "Intent to Complete Repairs" form, within 30 days of receipt of this letter, that will provide for correction of the identified deficiencies by the date(s) indicated above. Please call or write to our office if the repairs are completed ahead of the aforementioned schedule so that DES may schedule a follow-up inspection. Unless notified otherwise, DES will conduct the follow-up inspection on or after the date(s) indicated above. If you believe changes

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Dam #028.12/DSP#06-005
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to the items of work or dates are necessary, please make the changes directly on the form and provide a brief explanation. We have enclosed a self addressed stamped envelope for you to return this form.

Our intent in sending you this correspondence is to make you aware of items that DES believes warrant your attention to insure the continued safe operation of your dam. It is our hope that, through the submittal of the attached form and a commitment to keeping a well-maintained dam, you will voluntarily comply with the requested items of work. If we do not receive the intent form or a similarly adequate written reply, we will assume that you are in agreement with our findings and recommendations and DES will carry out follow-up inspections accordingly.

If you have any questions or comments regarding this Letter of Deficiency or would like to be present at future inspections, please contact me at 271-3406, or write to the Water Division at the address listed on the bottom of the previous page.

Sincerely,

A handwritten signature in black ink, appearing to read 'COPY' with a stylized flourish extending from the end.

Dale F. Guinn, P.E.
Dam Safety Engineer

Attachments: Guideline for an O&M plan, Sketch Illustrating Deficiencies, DB8, DB13
cc: Gretchen R. Hamel, Legal Unit Administrator ✓
Town of Bradford
Certified # 7000 1670 0000 0588 6882
DFG/was/h:/safety/wendy/lod/028-12lod.doc